



UNITED STATES DEPARTMENT OF COMMERCE
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#6

PATENT & TRADEMARK OFFICE
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LICENSING & REVIEW

EX PARTE: HE, ET AL.
SERIAL NO.: 10/021,002
FILED: 12/19/01
TITLE: HUMAN PROSTATIC SPECIFIC REDUCTASE

Receipt is acknowledged of the statement filed 07/03/02 under the provisions of:
☒ Section 152 of the Atomic Energy Act, 42 U.S.C. 2182, as amended.
☐ Section 305(c) of the National Aeronautics and Space Act, 42 U.S.C. 2457.

THE STATEMENT IS INSUFFICIENT SINCE:

☐ It is not in the form of an oath or a declaration (as provided by 37 CFR 1.68).


☐ It fails to set forth the "full facts" surrounding the making and conception of the invention as required by the Act. The full facts should include whether the invention was made and conceived during working hours of an employer's, or on the inventor's own time, using his/her employer's own funds, facilities, materials and services.

☐ In addition to setting forth the full facts concerning the circumstances under which the invention was made, a general averment in accordance with the statutory requirements was not recited setting forth the contractual relationship (if any) with either DOE and/or NASA.

☒ The section required the statement be executed by "applicant" and this is construed in accordance with patent statutes as meaning the person or persons who may apply for a patent. It is noted that this includes all joint inventors if the invention is joint, unless deceased, incompetent or unavailable within the meaning of 37 CFR 1.47. If a statement by someone in place of the unavailable inventor(s) is to be accepted, the same proofs, information and assignment called for by 37 CFR 1.47 (b) should be furnished, including the inventor's last known address. This has not been done.

☒ Other: STATEMENT SUBMITTED IS INCOMPLETE. PLEASE SUBMIT SUPPLEMENTAL STATEMENT WITH INVENTORS' HE AND HUDSON SIGNATURES.

This application will be reached in about thirty (30) days for consideration of the need to call it to the attention of the Commissioner for the purpose of the formally requesting a statement under said section, unless a supplemental statement is voluntarily filed in the meantime. Should it be necessary to issue a formal requirement for the statement, no provision is found for extension of the time limit of 30 days after the requirement is made.



Licensing and Review
Special Laws Administration Group
(703) 305-0241
10/01/02

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS
MATTER TO THE ATTENTION OF LICENSING AND REVIEW**



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/021,002	12/19/01	HE, ET AL.	PF150D2

HUMAN GENOME SCIENCES, INC.
9410 KEY WEST AVENUE
ROCKVILLE, MD 20850

EXAMINER	
ART UNIT	PAPER NUMBER
PATENT & TRADEMARK OFFICE	

DATE MAILED:

MAILED
MAY 20 2002

LICENSING & REVIEW

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

☒ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

☐ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 306-4191.

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**

The following is an example of an acceptable property rights statement. Statements of this type are, of course, only suitable for situations in which **NO** Agency funds or other considerations were involved in the making or conception of the invention. While this example is in the form of a declaration, a sworn document is equally acceptable.

I (We) _____
citizens of _____
residing at _____
declare:

That I (we) made and conceived the invention described and claimed in patent application:

Serial Number _____ filed in the United States of America on _____
titled _____

(Check and complete either I or II below)

☐ I. (For Inventors Employed by an Organization) That I (we) made and conceived this invention while employed by _____. That the invention is related to the work I am (we are) employed to perform and was made within the scope of my (our) employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of _____ Other relevant facts are _____
(name of employer)

That to the best of my (our) knowledge and belief (and/or) based upon information provided by _____ of _____:

—OR—

☐ II. (For Self-Employed Inventors) That I (we) made and conceived this invention on my (our) own time using only my (our) own facilities, equipment, materials, funds, information and services. Other relevant facts are _____

(Check III and/or IV below as appropriate)

That to the best of my (our) knowledge and belief:

☐ III. The invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

—AND/OR—

☐ IV. The invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

The undersigned inventor(s) declare further that all statements made herein of his or her (their) own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Signature: _____

Post Office Address: _____

Date: _____

Inventor's Signature: _____

Post Office Address: _____

Date: _____



150/US(P1) CIDE 325820-33
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
PF150

FEBRUARY 06, 1996

PTAS

CARELLA, BYRNE, BAIN GILFILLAN ET AL
GREGORY D. FERRARO
6 BECKER FARM ROAD
ROSELAND, NJ 07068



FEB 21 1996

HGS PATENT DEPT.
UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

(RECORDATION DATE: 09/25/1995)



(REEL/FRAME: 7643/0938)
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HU, WEI WU

DOC DATE: 08/23/1995

ASSIGNOR:

MEISSNER, PAUL S.

DOC DATE: 08/23/1995

ASSIGNOR:

HUDSON, PETER L.

DOC DATE: 08/23/1995

ASSIGNOR:

ROSEN, CRAIG A.

DOC DATE: 09/08/1995

ASSIGNEE:

HUMAN GENOME SCIENCES, INC.
9410 KEY WEST AVENUE
ROCKVILLE, MARYLAND 20850

SERIAL NUMBER: 08464400

PATENT NUMBER:

FILING DATE: 06/05/1995

ISSUE DATE:

DATE RECEIVED: 2/12/96

DATES ENTERED:

BY: RKG

7643/0938 PAGE 2

PEARLENE FOSTER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

10-06-1995

D

FORM-PCT/1595

(Reg. 8-93)



DEPARTMENT OF COMMERCE

Patent and Trademark Office

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PATENTS ONLY

OMB No. 0651-0011 (exp. 4/94)

To the Honorable Commissioner of Patent and Trademarks:
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

HU, Wei Wu; MEISSNER, Paul S.;
HUDSON, Peter L.; and ROSEN, Craig A.

Additional name(s) of conveying party(ies) attached:

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Human Genome Sciences, Inc.

Internal Address: 9410 Key West Avenue
Rockville, Maryland 20850

Street Address: same as above

City: _____ State: _____ Zip: _____

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security/Agreement

☐ Change of Name

☐ Other _____

Execution Date: 8/23/95; 8/25/95 and 9/8/95

Additional name(s) & address(es) attached: ☐ Yes ☒ No

4. Application number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s) 08/464,400

B. Patent No.(s) _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Gregory D. Ferraro

Internal Address: Carella, Byrne, Bain, Gilfillan,
Cecchi, Stewart & Olstein

Street Address: 6 Becker Farm Road

City: Roseland State: NJ Zip: 07068

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41)....\$ 40.00
☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number: _____

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

1. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Gregory D. Ferraro

Name of Person Signing

[Signature]

Signature

9/18/95

Date

Total number of pages including cover sheet, attachments, and document: 3

090 RT 10/04/95 08464400

1 581

40.00 CK

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

PCTWORLD INTELLECTUAL PROPERTY ORGANIZATION
International Bureau

Exhibit A

INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification ⁶ : C12N 1/21, 5/10, 9/02, 15/10, 15/11, 15/12, 15/53, 15/63, C07K 14/47, C12Q 1/68, 1/26	A1	(11) International Publication Number: WO 96/22360 (43) International Publication Date: 25 July 1996 (25.07.96)
(21) International Application Number: PCT/US95/01827 (22) International Filing Date: 20 January 1995 (20.01.95) (71) Applicant (for all designated States except US): HUMAN GENOME SCIENCES, INC. [US/US]; 9410 Key West Avenue, Rockville, MD 20850-3338 (US). (72) Inventors; and (75) Inventors/Applicants (for US only): HE, Wei, Wu [CN/US]; 6225 Free Stone Court, Columbia, MD 21045 (US). MEISSNER, Paul, S. [US/US]; 18040 Barnesville Road, P.O. Box 306, Barnesville, MD 20838 (US). HUDSON, Peter, L. [US/US]; 19041 Highstream Drive, Germantown, MD 20874 (US). ROSEN, Craig, A. [US/US]; 22400 Rolling Hill Road, Laytonsville, MD 20882 (US). (74) Agents: OLSTEIN, Elliot, M., et al.; Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, 6 Becker Farm Road, Roseland, NJ 07068 (US).		(81) Designated States: AU, CA, CN, JP, KR, MX, NZ, US, European patent (AT, BE, CH, DE, DK, ES, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE). Published With international search report.
(54) Title: HUMAN PROSTATIC SPECIFIC REDUCTASE (57) Abstract A human prostatic specific reductase polypeptide and polynucleotides encoding such polypeptide and a procedure for producing such polypeptide by recombinant techniques is disclosed. Also disclosed are methods for utilizing such polynucleotides as a diagnostic marker for prostate cancer and as an agent to determine if the prostate cancer has metastasized. Also disclosed are antibodies specific to the prostatic specific reductase polypeptide which may be used to target prostate cancer cells and be used as part of a prostate cancer vaccine. Methods of screening for agonists and antagonists for the polypeptide and therapeutic uses of the antagonists are also disclosed.		



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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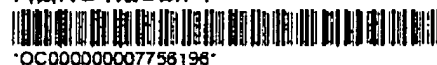
APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/021,002	12/19/2001	1642	1352	PF150D2	6	40	6

CONFIRMATION NO. 9797

22195

HUMAN GENOME SCIENCES INC
9410 KEY WEST AVENUE
ROCKVILLE, MD 20850

FILING RECEIPT



OC000000007756196

APR 3 2002
KKH CB

Date Mailed: 04/01/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Wei-Wu He, Columbia, MD; ✓
Paul S. Meissner, Barnesville, MD; ✓
Peter L. Hudson, Germantown, MD; ✓
Craig A. Rosen, Laytonsville, MD; ✓

Assignment For Published Patent Application

Human Genome Sciences, Inc., Rockville, MD. ✓

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 09/123,386 07/27/1998 PAT 6,344,198 ✓

WHICH IS A DIV OF 08/464,400 06/05/1995 PAT 5,786,204 ✓

WHICH IS A CIP OF PCT/US95/08427 05/20/1995 ✓ PCT/US95/01827 01/20/1995

(*) Data inconsistent with PTO records

Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

Title

Human prostatic specific reductase

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

CLAIMS ONLY

SERIAL NO.

10021002

FILING DATE

12-19-01

APPLICANT(S)

CLAIMS

	AS FILED		AFTER 1st AMENDMENT		AFTER 2nd AMENDMENT			*		*		*	
	IND.	DEP.	IND.	DEP.	IND.	DEP.		IND.	DEP.	IND.	DEP.	IND.	DEP.
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TOTAL IND.	6						TOTAL IND.						
TOTAL DEP.	34						TOTAL DEP.						
TOTAL CLAIMS	40						TOTAL CLAIMS						

* MAY BE USED FOR ADDITIONAL CLAIMS OR ADMENDMENTS

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Submit First to Licensing and Review

REV.
PTO-1305

DOE

NASA
US COMM-DC

U.S. UTILITY Patent Application

**PATENT NUMBER and
ISSUE DATE**

APPL NUM	FILING DATE	CLASS	SUBCLASS	GAU	EXAMINER
10021002	12/19/2001	424		1634	SISSON, B

****APPLICANTS:** He Wei-Wu; Meissner Paul; Hudson Peter; Rosen Craig;

****CONTINUING DATA VERIFIED:**

This application is a DIV of 09/123,386 07/27/1998 PAT 6,344,198
which is a DIV of 08/464,400 06/05/1995 PAT 5,786,204
which is a CIP of PCT/US95/01827 01/20/1995

**** FOREIGN APPLICATIONS VERIFIED:**

PG-PUB DO NOT PUBLISH ☐

RESCIND ☐

Foreign priority claimed ☐ yes ☐ no

35 USC 119 conditions met ☐ yes ☐ no

Verified and Acknowledged Examiners's initials

ATTORNEY DOCKET NO

PF150D2

TITLE : Human prostatic specific reductase

U.S. DEPT. OF COMM/PAT. & TM-PTO-436L (Rev. 12-94)

NOTICE OF ALLOWANCE MAILED		CLAIMS ALLOWED	
		Assistant Examiner	Total Claims Print Claim for O.G
ISSUE FEE		Primary Examiner	DRAWING
Amount Due	Date Paid		Sheets Drwg. Figs. Drwg. Print Fig.
<input type="checkbox"/> TERMINAL DISCLAIMER		PREPARED FOR ISSUE	Application Examiner
WARNING: The information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and 368, Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.			

FILED WITH:

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☐ CD-ROM

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ISSUE SLIP STAPLE AREA (for additional cross-references)

ISSUING CLASSIFICATION

ORIGINAL		CROSS REFERENCE(S)					
CLASS	SUBCLASS	CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)				
INTERNATIONAL CLASSIFICATION							

^ Continued on Issue Slip Inside File Jacket

INDEX OF CLAIMS

✓ Rejected - (Through numeral) ... Canceled N Non-elected A Appeal
 = Allowed + Restricted I Interference O Objected

Claim	Date
Final	Original
1	
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If more than 150 claims or 9 actions staple additional sheet here

373/41